

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENYATTA REED	:	CIVIL ACTION
	:	
v.	:	
	:	
GIRARD COLLEGE	:	NO. 20-2325

ORDER

AND NOW, this 11th day of August 2020, for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that the motion of defendant Girard College for dismissal of the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state claim upon which relief can be granted, or in the alternative, compel arbitration, and for failure to name the proper party defendant (Doc. # 4) is GRANTED in part and DENIED in part:

(1) the motion of defendant to dismiss Counts I through V of the complaint for failure to arbitrate under the Collective Bargaining Agreement is DENIED;

(2) the motion of defendant to dismiss Counts III and IV of this complaint for failure to exhaust administrative remedies is GRANTED; and

(3) the motion of defendant to dismiss this action for failure to name the proper defendant is DENIED, provided that within 10 days of this order, plaintiff file an amended complaint, with Counts I, II, V, and VI only, naming as the defendant the Board of Directors of City Trusts.

BY THE COURT:

/s/ Harvey Bartle III

J.